DIDN'T DO
ANYTHING —

[redacted]

SENT HIM
TO MILENIUM

182 Atlantic Ave

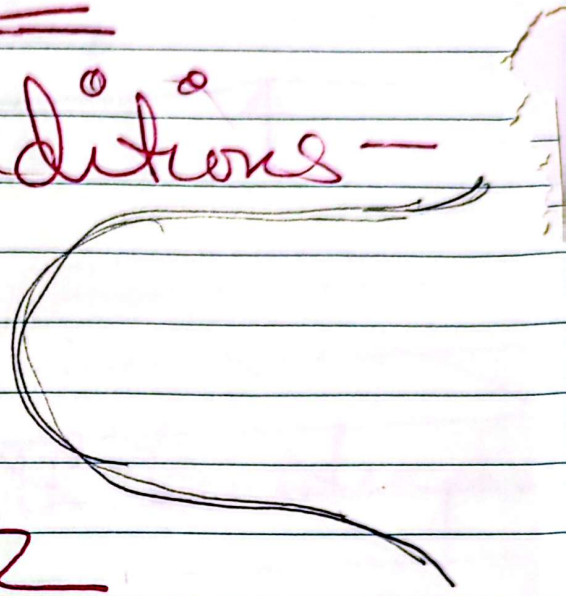
Sam Checovich —

[redacted] survey =

— Existing conditions —

— survey —

= Hampton =



964-8722

office 964-1543

Rollins Management Group

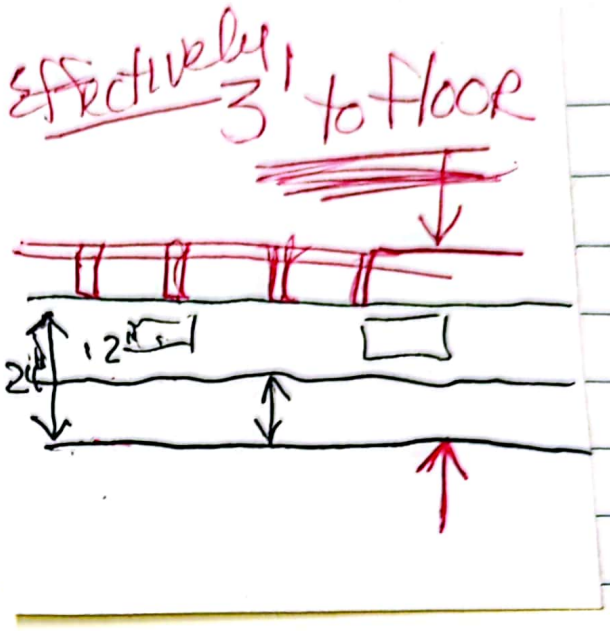
cell 380-0493

— just after Pine Rd —

Elev cert?

AO

mechanicals basement — NO




storage garages

update C.O. for both buildings

two dwellings → non-conforming

checovich

# CERTIFICATION FOR
# **GRANDFATHERED SHORELINE STRUCTURES**

Applications to repair or replace an existing legal structure require that the applicant certify in writing that the structure was **previously permitted** by the state or would be considered meeting the definition of **grandfathered status**. *Complete the following form and submit it with your application to meet the certification requirement.*

I, _____ (print name legibly) certify that the shoreline structure I am requesting to **repair*** or **replace,** which is located at _____ (tax map/lot number/property address), was either previously permitted by the NHDES Wetlands Bureau (or predecessor) or meets the definition of **grandfathered status**.

_____ _____

Signature of Owner or Authorized Agent Date

*For Grandfathered structures provide the following information*:

1) The year the structure was constructed and installed: _____; and
2) Evidence documenting the structure's age.

*For previously permitted structures provide the following information*:

1) Previous permit number(s): _____; or
2) Previous owner(s) name(s): _____.

*Terms in **bold** print are explained below as they are defined in the DES Wetlands Bureau Code or Administrative Rules Wt 100 - 800.

---

**Grandfathered status** means that the structure:(a) was in place before permit jurisdiction under RSA 482-A:3, I or its predecessor statute RSA 483-A1:I, took effect; b) has remained unaltered in location, size and configuration;c) has not been **abandoned** within the meaning of DES Wetlands Bureau Rules Wt 502.05, 303.05 (a) (4), and 101.01.

*Permit jurisdiction took effect as follows*:

**June 22, 1967** - for any structure in tidal water, with the exception of **seasonal structures** which did not involve dredge, fill, removal, or excavation.
**July 2, 1969** - for any structure in fresh water, with the exception of **seasonal structures** which did not involve dredge, fill, removal, or excavation.
**September 4, 1978** - for any **seasonal structure** not falling under the categories above.
**July 23, 1989** - for any structure in upland portions within one hundred feet of the highest observable tideline.

**Abandonment** means the failure, for a period of 5 years, to maintain an existing structure in a condition so that it is functional and intact.

**Repair** means the restoring of an existing legal structure by partial replacement of worn, broken, or unsound parts.
**Replacement** means the substitution of a new structure for an existing legal structure with NO change in size, dimensions, location, configuration, or which conforms in all material aspects to the original structure.

**NH DEPARTMENT OF ENVIRONMENTAL SERVICES**
**WETLANDS BUREAU**
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095
Phone: (603) 271-2147 Fax: (603) 271-6588
web site: www.des.nh.gov/wetlands email: wetmail@des.state.nh.us

# Minimum Impact Expedited Application

**INSTRUCTIONS:** This document has three sections. Section One is the application form, to complete once you have read the other sections; Section Two is a checklist, to ensure you have assembled the appropriate documents. Section Three describes projects that meet the minimum impact criteria. Please review Section Three first to be sure you are submitting the correct application.* If your project meets the criteria for a minimum impact project as outlined in Section Three, then complete all items in Sections One and Two. *Please type or print clearly.*

* *Other applications available from the DES Wetlands Bureau:*

1) **Notification Forms for Timber Harvesting for Forest Management, Trail Construction and Maintenance, and Seasonal Docks** - Projects involving minimum impact timber harvesting for forest management purposes, trail construction or maintenance, or seasonal nontidal dock installation may be approved by notification using the appropriate notification form provided certain conditions are met.

2) **Minimum Impact Agricultural Projects Application** - Permits for minimum impact agricultural projects may be obtained by developing plans in conjunction with the appropriate County Conservation District and submitting this form.

3) **Standard Dredge and Fill Application -** Minor and Major impact projects (and some minimum impact projects) require this form.

## SECTION ONE

1. Name of Owner _____
   Last First Middle Initial
2. Mailing Address:_____
   Box # / Street Town/City State Zip code

   (____)_____ (____)_____ _____
   Daytime Telephone Number Fax Number Email

3. Location of
   Proposed Project: _____
   Street # Street/Road/Highway Town/City State Zip code

   Tax Map Number: _____ Block/Lot Number: _____

4. Contractor or Agent: _____
   Name of Contact and Company Name (if any)

   _____
   Box # / Street Town/City State Zip code

   (____)_____ (____)_____ _____
   Daytime Telephone Number Fax Number Email

5. Provide a brief description of your proposed project. Include the amount of proposed wetland impact (in square feet) and, if applicable, the amount of shoreline impact (in linear feet).

_____

_____

_____

**FOR INTERNAL USE ONLY**
**File Number:** _____ **Initials:** _____
**Check date** _____ **Check #:** _____ **Amt.:** _____ **Date received** _____

6. Please explain the purpose of, or the need for, the proposed work and how it has been designed to minimize impacts within the DES Wetlands Bureau's jurisdiction: _____

_____

_____

7. Name of Waterbody, as *listed on the U. S. Geological Survey topographic map:* _____

*If not listed on the map, please check which of the following best applies to the area of proposed impacts:*
❒ unnamed lake or pond ❒ unnamed wetland ❒ unnamed stream ❒ unnamed tributary to _____

8. Please check the box(es) which best describe the area(s) in which work is proposed:

| | | | |
|---|---|---|---|
| ❒ salt marsh | ❒ tidal water | ❒ sand dune | ❒ 100 feet from highest observable tideline |
| ❒ bog | ❒ freshwater marsh | ❒ swamp | ❒ wet meadow |
| ❒ perennial stream | ❒ seasonal stream | ❒ river | ❒ lake or pond |

❒ other *(explain or describe area)* _____

9. Length of shoreline frontage on the property (linear feet): _____

To determine the length of **shoreline frontage,** add the length of the natural navigable shoreline (which may be shown on the tax map) to the length of a straight line drawn between the two property boundaries at the shoreline edge, and divide by two. (Both lengths are measured at the normal high water line.)

**REQUIRED SIGNATURES**

10. *Applicant (owner or authorized agent).* My signature below certifies that: **1)** I have notified all abutters of this proposed work by certified mail; **2)** plans and application materials, in this and all subsequent submissions, are complete and accurate; **3)** I am aware that the work I am proposing may require additional state, local or federal permits; **4)** any structure which I am proposing to repair or replace was either previously permitted by the NH Wetlands Board or DES Wetlands Bureau or would be considered *grandfathered* (which is defined as having been in existence prior to permit authority under RSA 482-A:3, I or its predecessor statute RSA 483-A:1, I and has been installed in the same location, with the same dimensions, configuration, and construction type, and the structure has not been *abandoned*, which means the failure, for a period of 5 years, to maintain an existing structure in a condition so that it is functional and intact) (Env-Wt 101.01); and **5)** by signing this application I authorize the municipal conservation to conduct a site walk of the project area.

_____ _____ _____
Signature of Owner or Authorized Agent Print name legibly Date

11. *Conservation Commission.* The signature below certifies that the municipal conservation commission has reviewed this application, and: **1)** waives its right to intervene per RSA 482-A:11; **2)** believes that the application and submitted plans accurately represent the proposed project; and **3)** has no objection to permitting the proposed work. *Conservation Commission is not required to sign. If Conservation Commission does not sign this statement for any reason, then the application shall not be eligible for expedited processing and shall be reviewed as a standard application.*

_____ _____ _____
Authorized Commission Signature Print name legibly Date

12. *Town Clerk.* I hereby certify that the applicant has filed five application forms, five detailed plans, and five USGS location maps with the town/city of _____ as required by Chapter 482-A:3 (amended 1991), and I have received and retained certified postal receipts (or copies) for all abutters identified by the applicant.

_____ _____ _____
Signature of Town/City Clerk Print name legibly Date

**IMPORTANT NOTE:** The DES Wetlands Bureau is required to act on minimum impact applications meeting all criteria for expedited review within 30 days of DES's "Notice of Administrative Completeness.**"** However, applicants are advised that work carried out before receiving a written permit issued by the DES Wetlands Bureau may not be covered under the federal Army Corps of Engineers State Programmatic General Permit (effective June 28, 2007) and therefore **may be in violation of federal law.**

# SECTION TWO
## Minimum Impact Expedited Application Checklist

For your application to be considered *administratively complete*, a completed and signed application form (Section One) must be accompanied by the items listed below. Certain projects may require particular details on plans or other items not listed here to be *technically complete*. These specific criteria are noted under the appropriate project description in Section Three, "Minimum Impact Projects Subject to Expedited Review." Please read the topics that apply to your project in Section Three prior to filling out any information in Sections One and Two.

### *Required Attachments:*

❒ A. **Copy of the Municipal Tax Map** *(*from Town or City Clerk's office) showing your property, location of the project, and all abutters' properties labeled.

❒ B. **Abutter Notification and List –** List of all abutters, their mailing addresses, and certified mail receipts verifying notification by the applicant. Exception to the notification of abutters may be found in Env-Wt 501.01(c).

❒ C. **Copy of USGS Topographic Map** on which the property lines have been indicated.

❒ D. **Photographs –** Original, dated, color photographs (or high-quality color photocopies) of surface waters and wetlands to be impacted and of any existing shoreline structures (labeled and mounted on 8-1/2 x 11-inch paper with glue or tape); printed copies of digital images are acceptable. Location of photo views should be noted on plans.

❒ E. **Plans -** an overview of the property, <u>drawn to scale or with all dimensions clearly labeled</u>, showing:

- The scale, if any, used on the plan(s);
- A north-pointing arrow, indicating orientation;
- The footprint (size, location and configuration) of all *existing* and *proposed* structures on the property;
- The boundary or delineated edge of all surface waters and wetlands;
- Existing and proposed topography if slope is to be altered or grades are changed;
- Shaded or hatched areas indicating the total square footage of temporary and permanent impact to wetlands, surface waters or their *banks*, area within 100 feet from the highest observable tideline, or other jurisdictional area;
- The distance from existing and proposed work to abutting property lines (for waterfront projects show distance from the imaginary extension of property lines over surface waters). *NOTE: any new construction shall be a minimum of 20 feet from any property lines or the imaginary extension over the water unless written permission is obtained from the affected abutter(s). Notarized permission is required for all proposed shoreline structures within 20 feet of the abutter's property line;
- The general shape of the shoreline (if applicable) with the length of frontage and full lake/pond elevation indicated;
- The type of construction and the materials to be used;
- The "construction sequence," which describes the relative timing and progression of all work, pre-construction through post-construction);
- Proposed methods of erosion or siltation control. If work is done in water, turbidity controls should be included in plans.
- Indicate the names of the persons who delineated the wetlands and prepared the plans.

*<u>Additional plan requirements</u> may be listed under your proposed project type in Section Three "Minimum Impact Projects Subject to Expedited Review." Please review that Section and be sure to include all additional items on your plans.*

❒ F. **$200 Application Fee -** check or money order payable to the NH DES Wetlands Bureau.

**Filing Your Application Form:**

Submit the *completed* form and *all* attachments to the municipal conservation commission for review and signature*. Make four additional copies of the signed form (Section One) and all application materials. Submit to the town clerk: **1)** five complete sets of application form, **signed by the conservation commission,** and all attachments; **2)** postal receipts (or copies) verifying that abutters have been sent notice by certified mail; **3)** a check for $200 payable to the NH DES Wetlands Bureau; and **4)** any municipal fees due (authorized by RSA 482-A:3,I).

The town clerk will then: **1)** collect from the applicant the postal receipts demonstrating that all abutters were sent proper notice; **2)** sign all five copies of the application form; **3)** retain one copy and attachments; **4)** distribute a copy with attachments to the municipal Conservation Commission, the local governing body (Board of Selectmen or Town/City Council), and the Planning Board in accordance with RSA 482-A:3, I; and **5)** send the original application materials and filing fee, by CERTIFIED MAIL to:

**Department of Environmental Services - Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.**

Note: Although there may be some local variation in the handling of the application form and materials, the town clerk is the last one to sign the application before immediately mailing it by certified mail to the NH DES Wetlands Bureau.

** For the DES Wetlands Bureau to review this application under the 30-day expedited process, it MUST be signed by the municipal conservation commission. However, the conservation commission is in no way obligated to sign the application. If your town does not have a commission, if the commission will not sign your application, or if you do not wish to submit it to the commission for signature, you may file a Standard Dredge and Fill application with the DES Wetlands Bureau. Standard Dredge and Fill applications are available through the town office, from the DES Wetlands Bureau web site: www.des.state.nh.us/wetlands, or at the DES Public Information Center or Wetlands Bureau (603) 271-2147.*

# SECTION THREE
# Minimum Impact Projects Subject to Expedited Review

The following is a list of projects that are considered MINIMUM IMPACT under administrative rules provided stated criteria are not exceeded. Projects are grouped by type. The corresponding rule number is referenced for each project. A complete set of the DES Wetland Bureau Administrative Rules can be found on the Bureau's web site at www.des.state.nh.us/wetlands.

***General Instructions**:*

- Read through Part A, and answer all questions. If you answer **YES** to *any* of these questions, your project CANNOT be reviewed under the minimum impact expedited process and *you must file a Standard Dredge and Fill Application.*
- If you answered **NO** to all questions in Part A, read through Part B to find the type of project that corresponds with your proposed work. If your proposed work meets *all* of the specifications described for that project type, it would be considered minimum impact. If the work you are proposing is not on this list, or in any way exceeds criteria for that type of project, *you will need to file a Standard Dredge and Fill Application. Contact the Wetlands Bureau for further information or clarification.*
- Prepare plans as indicated on the application checklist in Section Two. Include additional items as specified under the specific project section.
- If you do not understand the terms used in this form, please check the Wetlands Bureau's web site at www.des.state.nh.us/wetlands , email: wetmail@des.state.nh.us, or call: (603) 271-2147.

## *PART A. MINIMUM IMPACT PROJECT CRITERIA*

Does the work you propose:

1) Involve tidal wetlands, work in the tidal buffer zone within 50 feet of a salt marsh, or sand dunes that is not for repair of existing structures? ❑Yes ❑No
2) Involve temporary or permanent construction in a bog, marsh, or Atlantic white cedar swamp? ❑Yes ❑No
3) Impact areas in or within 100 feet of a designated prime wetland? ❑Yes ❑No
4) Involve dredge or fill to create useable land (such as for a structure, yard, or parking lot)? ❑Yes ❑No
5) Involve fill to obtain adequate setback under DES Subsurface Systems Bureau rules? ❑Yes ❑No
6) Disturb 50 or more linear feet, as measured along the shoreline of a lake or pond or its bank? ❑Yes ❑No
7) Alter the course of or disturb 50 or more linear feet of an intermittent stream or its banks or involve construction during periods when the stream is flowing ❑Yes ❑No
8) Involve work that exceeds the standard criteria for dimensions, construction type, number of slips allowed? ❑Yes ❑No
   *(See descriptions under the appropriate project type on the following pages.)*
9) Involve temporary and/or permanent impacts of more than 3,000 square feet in a swamp or wet meadow? ❑Yes ❑No
10) Relate to other work done on the property within the last 12 months which, when taken in aggregate, would exceed minimum impact criteria? ❑Yes ❑No
11) Involve any work within jurisdiction that has already begun or has been completed? ❑Yes ❑No
12) Involve dredge or fill (except repair) in a great pond? ❑Yes ❑No
13) Involve work in a perennial stream that is greater than 10 feet wide (except for utility crossings)? ❑Yes ❑No
14) Impact an exemplary natural community or species tracked as rare by the Natural Heritage Bureau at the Dept. of Resources and Economic Development? ❑ Yes ❑No

If you answered **YES** to *any* of these questions, you must file a **Standard Dredge and Fill Application**.

If your proposed work is found to exceed criteria for minimum impact, you will be asked to submit additional information to meet all evaluation criteria for a Minor or Major impact project.

## *PART B. MINIMUM IMPACT PROJECT TYPES*

**IMPORTANT NOTE:** Standard requirements for plans for ALL project types are listed in Section Two (Checklist) under Required Attachment E (Plans). ***In addition to these standard requirements***, please include project-specific information on plans as indicated in each section below.

# I. Repair & Maintenance Projects

***NOTE:*** By signing the application form, the applicant is certifying that any structure proposed to be repaired or replaced was either previously permitted by the DES Wetlands Bureau (or its predecessor, the NH Wetlands Board) OR would be considered ***grandfathered***.

A. **Maintenance, repair or replacement** of culverts and their associated headwalls, tie-off piles, ice clusters (or "dolphins") *provided the applicant:* proposes no change in location, configuration, construction type or dimensions, or proposes an alternative with lesser environmental impact; AND certifies in writing that the structures, in their current location, configuration, construction type and dimensions, have not been abandoned, and were either permitted by the Wetlands Board or Bureau previously or would be considered grandfathered. *Env-Wt 303.04(x).*

B. **Repair** of existing structures such as bridges, dams, rip-rap slopes, breakwaters, docks, boat houses or other docking facilities *provided*:

(1) No work is proposed on residential structures (as described in RSA 482-A:26) *Env-Wt 303.04(v);*
(2) No change in location, configuration, construction type or dimensions is proposed *Env-Wt 303.04(v);* and
(3) The applicant certifies in writing that the structures, in their current location, configuration, construction type and dimensions, have not been abandoned, and were either permitted by the Wetlands Board or Bureau previously or would be considered **grandfathered.** *Env-Wt 303.04(v).*

*Temporary cofferdams proposed in conjunction with dam repair must meet criteria listed below under E.*

C. **Repair** or **replacement** of existing retaining walls *provided*:

(1) No work is proposed on residential structures (as described in RSA 482-A:26) *Env-Wt 303.04(v)*;
(2) The applicant certifies in writing that the structures have been permitted in the same location, configuration, construction type and dimensions under a wetlands permit and have not been abandoned or would be considered grandfathered in their current configuration and have not been abandoned. *Env-Wt 303.04(v)*
(3) The work shall be performed "in the dry" during drawdown of waters and result in no change in height, length, location, construction type or configuration. If a wall is to be refaced such additional width shall not exceed 6inches. *Env-Wt 303.04(c)*

*In addition to standard requirements, plans for this project must include:*

1. Detailed plan of the existing wall and the proposed wall**,** showing:
   a. The length of each (existing and proposed) along the shoreline;
   b. The toe of the existing wall measured to a minimum of two fixed points of reference (such as two corners of a building); and
   c. The relationship of the wall to each of the abutting property lines and to features of the natural shoreline;
2. Cross-sectional drawing of the existing wall and the proposed wall, indicating the height and thickness of each and the wall's location relative to the normal high-water line.

*Applications for projects involving total **replacement** of a retaining wall in great ponds or where the state holds fee simple ownership must also include:*

1. *Stamped, surveyed* plans; and
2. The footprint of the proposed project (i.e. the *area* of the lakebed taken up by the base of the wall) in relation to the normal high water shoreline.

D. **Maintenance dredging,** when necessary to provide continued usefulness, of nontidal drainage ditches, plugged culverts, man-made ponds, spillways, boatslips and channels *provided* work is done within the original bounds of a legally constructed project. *Env-Wt 303.04(k).*

*In addition to standard requirements, plans for this project must include:*

1. A cross-sectional drawing of the current and proposed channel, pond, etc. showing the following dimensions:
   a. Height measured from the top bank to the bottom of pond or channel;
   b. Type of material and depth of material to be dredged; and
   c. Side slopes and change of elevation over a set distance (for example, 3:1 or 2:1 for length: height).

2. Location for the disposal of dredged material (spoils) and method of dewatering (if applicable).

E. Installation of **temporary cofferdams** and other water control devices constructed in flowing water or adjacent to dams in conjunction with the repair or maintenance of existing structures, *provided* all such work shall be designed and supervised by a professional engineer and shall be removed upon completion of repair and maintenance activity. *Env-Wt 303.04(l).*

*In addition to standard requirements, plans for this project must include:*

1. The length, width, and type of construction of the proposed cofferdam; and
2. The construction sequence for installation and maintenance/repair work.

## II. Projects in or near Tidal Waters, the Tidal Buffer Zone or Sand Dunes

A. Projects in previously *developed* upland areas within 100 feet of the **highest observable tide line** (the tidal buffer zone) *provided* the project is located more than 50 feet from the edge of any salt marsh. *Env-Wt 303.04(b).*

*In addition to standard requirements, plans for this project must include:*

1. Existing site conditions (such as the footprint of existing buildings, structures, driveways, parking areas, etc.);
2. The location of the highest observable tide line; and
3. The distance of the project from the highest observable tide line or from any salt marsh.

B. For maintenance, repair, or replacement of existing structures in or near tidal waters or in sand dunes, please refer to *I. Repair & Maintenance Projects.*

## III. Docks, Tie-Off Pilings & Ice Clusters

A. Construction or modification of a seasonal pier or wharf *provided that* no more than two slips, including previously existing slips, are proposed, and all other conditions (such as frontage, setbacks from property lines, dimensions, etc.) are met. *Env-Wt 303.04(a).*

*The minimum frontage, setback requirements, standard configurations and maximum dimensions to meet the minimum impact criteria are as follows:*

Setback: Minimum of 20 feet from abutting property lines (and the imaginary extension of lines over the water) If the 20-foot setback cannot be met, the signed, notarized, written consent of the affected abutter may be submitted to waive the setback requirement in accordance with RSA 482-A:3, XIII.

Configuration: Narrow, rectangular and *perpendicular* to the shore.

Dimensions: Maximum allowable size is **6 feet x 40 feet on lakes 1,000 acres or larger in size:**
(Bow Lake, Comerford Storage Dam, Connecticut Lakes [First and Second], Conway Lake, Great East Lake, Lake Umbagog, Lake Wentworth, Lake Winnipesaukee, Mascoma Lake, Massabesic Lake, Merrymeeting Lake, Monomonac Lake, Moore Reservoir, Newfound Lake, Ossipee Lake, Paugus Bay, Province Lake, Squam Lake, Sunapee Lake, Vernon Dam, Winnisquam Lake)

Maximum allowable size is **6 feet x 30 feet on lakes smaller than 1,000 acres.**

*In addition to standard requirements, plans for this project must include:*

1. The location of the proposed dock on the shoreline, and the setback distance from each abutting property line and the imaginary extension of that line over the water;
2. The length and width of the proposed dock, its configuration, the type of construction, and materials to be used; and
3. The location and dimensions of all existing shoreline structures such as beaches, stairs, walls, etc.

B. For maintenance, repair, or replacement of existing docks, pilings, or ice clusters, please refer to *I. Repair & Maintenance Projects.*

## IV. Breakwaters & Boathouses

A. For repair, please refer to *I. Repair & Maintenance Projects.* .

## V. Beach Construction or Replenishment

A. Construction of or replenishment of a beach *provided*: *Env-Wt 303.04(d); Env-Wt 304.08*
1) The beach shall serve a privately-owned single family residence;
2) No fill or dredge shall occur below the high water line or full pond elevation (this includes removal of rocks);
3) The total amount of dredge or fill shall not exceed 900 square feet
4) Work shall not alter more than 20 percent of the applicant's contiguous shoreline up to a maximum of 50 feet;
5) No more than 10 cubic yards of sand shall be used; and
6) The proposed replenishment shall not exceed the limit of one replenishment in a 6-year period.
7) The natural edge of shoreline is left intact. Any access steps to the water shall be constructed over the bank without recontouring or regrading.
8) There is no removal of emergent or submergent vegetation requiring disturbance of bottom sediments.
9) The slope to be impacted does not exceed 25 percent (Env-Ws 1405.05)

*In addition to standard requirements, plans for this project must include:*
1. Cross section of beach drawn in relation to the full pond /lake elevation.
2. Mechanisms to control and reduce erosion and divert surface runoff.

## VI. Shoreline Stabilization (for control of erosion)

A. Projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank. *Env-Wt 303.04(m).*

B. Projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks *provided* construction is performed during periods of "no flow." *Env-Wt 303.04(n).*

C. For repair of existing retaining walls or rip-rap, please refer to *I. Repair & Maintenance Projects.*

Shoreline stabilization projects meeting criteria above will be considered minimum impact *provided* the applicant demonstrates that:

(1) The project involves the *least intrusive*, practicable method of stabilization (Vegetative stabilization, where possible, is considered least intrusive, followed by rip-rap. Installation of a new retaining wall or replacement of an existing retaining wall which involves work in the water is not considered minimum impact); and
(2) Diversion of stormwater run-off to prevent erosion is utilized to the maximum extent practical.

For projects involving stone *riprap* the applicant must demonstrate that:

(1) Anticipated turbulence, flows, restricted space or similar factors make vegetative and diversion methods physically impractical; and
(2) Stone riprap is located *landward* of the normal high water shoreline, where practical, and shall not extend more than 2 feet *lakeward* of that line at any point.

*In addition to standard requirements, plans for stone riprap must include:*

a. Minimum and maximum stone sizes and the type of bedding to be used;
b. Gradation;
c. Minimum rip-rap thickness;
d. Cross-section (in addition to the plan view) of the proposed installation;
e. The relationship of the proposed project to two fixed points of reference;
f. A description of the anticipated turbulence, flows, restricted space or similar factors that render vegetative and diversion methods physically impractical; and
g. If riprap is proposed in a *great pond or other waterbody where the state holds fee simple ownership*, stamped surveyed plans must show the location of the normal high water shoreline and the footprint of the proposed project.

## VII. Aquatic Weed Control or Wetlands Restoration

A. Projects to control aquatic weeds by cutting above the roots and harvesting *provided* there is no disturbance of bottom sediments. *Env-Wt 303.04(q)*

*In addition to standard requirements, plans for this project must include:*

1. A list of all species of weeds proposed to be cut and the method of cutting to be used;
2. The area in which weed cutting will be deposited and dewatered indicated on the plan; and
3. The area (indicate dimensions) of proposed cutting outlined on the plan in relation to the shoreline and the waterbody.

***If more than one property is involved, please list ALL involved property owners on your application and submit written, signed authorization from each owner.*

B. Projects to control exotic aquatic weeds *Cabomba carolina* (fanwort) and/or *Myriophyllum heterophyllum* (exotic milfoil) as authorized by RSA 487:17, *provided* work is conducted under the supervision of DES. (If the project involves *only* the temporary placement of a fabric barrier on the bottom of a lake or pond in an area of less than 10,000 square feet under the supervision of DES, the project does not require a permit under Env-Wt 303.05(e). *Env-Wt 303.04(r).*

*For additional application requirements, see VII. Aquatic Weed Control or Wetlands Restoration, paragraph A above, and include the name of the DES contact person.*

C. Restoration of altered or degraded wetlands *provided* the project receives financial support and direct supervision of a New Hampshire state agency, the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineers, the U.S. Natural Resources Conservation Service, or the U.S. Fish and Wildlife Service; and the project shall not be used to perform restoration in cases where the applicant is subject to an administrative removal or restoration order. *Env-Wt 303.04(t).*

*In addition to standard requirements, plans for this project must include:*

1. Wetlands delineations showing the limits of hydric soils or hydrophytic vegetation on the property and the identity and certification of the person who delineated the wetlands;
2. Locate proposed restoration areas in relation to property lines;
3. Indicate construction sequence, erosion control, and monitoring program to be implemented;
4. Provide information on soil augmentation, plantings, and sources of water (hydrology) for the restoration area; and
5. Provide information relative to the purpose of the restoration or what functions the restored area will provide.

## VIII. Road/Driveway Crossings & Culverts

A. Installation of culverts, pole or rock fords, and associated fill to permit vehicular access to a piece of property for a single family building lot or for recreational uses *provided:*

1. The roadway width at the crossing does not exceed 20 feet;
2. The fill width, measured at toe of roadway side slopes, is minimized and does not exceed 50 feet;
3. Fill for any single wetland crossing is less than 60 feet in length, measured along the proposed access way;
4. Crossings are limited to those which cross stream channels less than 10 feet wide; or
5. Cross wetlands that have no standing water for 10 months of the year. *Env-Wt 303.04(a) and (b).*

*In addition to standard requirements, plans for any of the "crossings" listed above must include:*

1. The location and type of crossing(s) proposed (such as bridge, culvert, etc.);
2. The diameter and length of any culvert proposed and the type of headwall construction proposed; and
3. All measurements specified in the criteria listed under each project type.

B. Projects located within the right-of-way of a public road* provided that:

1. Installation or construction of drainage structures does not exceed 3,000 square feet of dredge or fill;
2. Installation of culverts impacts streams less than 10 feet wide, measured from base of bank slope to base of bank slope;
3. Wetland crossings have no standing water for 10 months of the year, and do not exceed 50 feet across, measured along the roadway;
4. Fill width measured at the base of the roadway side slopes does not exceed 50 feet;
5. Shoulder widening does not exceed 3 cubic yards of fill per linear foot in wetlands that have no standing water for 10 months of the year, and does not exceed 10 feet of additional encroachment measured from base of slope. *Env-Wt 303.04(j).*

*__Municipalities__ may submit a single plan showing the location of **all** proposed culverts/crossings to be installed or repaired within public rights-of-way. Provided none of the *individual* crossings exceeds criteria for minimum impact (e.g. 3,000 square feet of fill or involves impacts to streams greater than 10 feet wide), the plan will be reviewed under the expedited process as *one* minimum impact project.

C. Excavation of less than 10 linear feet within the bank for installation of a culvert outlet. *Env-Wt 303.04(w).*

*In addition to standard requirements, plans for this project must include:*

1. The diameter and length of the culvert and the type of headwall proposed;
2. An explanation of reason for directing outlet into a jurisdictional area; and
3. Any proposed pre-treatment of out-flowing water.

## IX. Utility Crossings

A. Construction of temporary crossings of brooks, streams, or rivers for the construction or maintenance of utility pipes or lines. *Env-Wt 303.04(i).*

*In addition to standard requirements, plans for this project must include:*

1. The location(s) and proposed type/method of crossing(s).

## X. Bridge Installation

A. Installation of a bridge *provided* no work is done in the water or wetland and the fill does not exceed 3,000 square feet of fill on the banks or bed of the river. *Env-Wt 303.04(h).*

*In addition to standard requirements, plans for this project must include:*

1. A cross-sectional drawing showing side slopes;
2. The length and width of the bridge and the type and design of supporting structures or abutments;
3. The location (elevation) of the top of the bank; and
4. Location and footprint of all temporary impacts in jurisdiction required for the bridge installation.

B. For repair or maintenance of an existing bridge, please refer to *I. Repair & Maintenance Projects.*

## XI. Dry Hydrants & Pond Construction (only in poorly drained soils; also known as hydric B soils)

A. Excavation of less than 10 linear feet within the bank for installation of a dry hydrant. *Env-Wt 303.04(w).*

*In addition to standard requirements, plans for this project must include:*

1. The dimensions of the hydrant, intake, and temporary disturbance of the bank necessary to bury the intake.

B. Construction of a pond with less than 20,000 square feet of wetlands impact, *provided* <u>none</u> of the wetlands have poorly drained soils (also known as hydric A soils), and there are no flowing streams into or out of the proposed pond. *Env-Wt 303.04(p).*

*In addition to standard requirements plans for this project must include:*

1. Location of any hydric soils;
2. The edge of the pond in relation to soil types, surface waters and wetland boundaries;
3. The dimensions of the proposed pond;
4. A cross-sectional drawing of the proposed pond;
5. Purpose of pond construction;
6. Construction sequence and erosion controls;
7. Disposal site for dredge spoils; and
8. Existing and proposed grades.

C. For maintenance dredging of ponds, please refer to *I. Repair & Maintenance Projects.* .

D. For aquatic weed control, *see VII. Aquatic Weed Control or Wetlands Restoration*

US Army Corps of Engineers ®
New England District

**U.S. Army Corps of Engineers**
**Programmatic General Permit (PGP)**
**Appendix B - Required Information and Corps Secondary Impacts Checklist**

In order for the Corps of Engineers to properly evaluate your application, applicants must submit the following information along with the DES Wetlands Bureau application or permit notification forms. Some projects may require more information. For a more comprehensive checklist, see www.nae.usace.army.mil/reg/Application_PlanGuidelines.doc. Check with the Corps at (978) 318-8832 for project-specific requirements. For your convenience, this Appendix B is also attached to the State of New Hampshire DES Wetlands Bureau application and Permit by Notification forms.

**Required information for all projects:**

- 8½"x11" plans: Locus map, plan views of the entire property and project limits with existing and proposed conditions. On each plan show the NGVD 1929 equivalent for the project's vertical datum with the vertical units. Do not use local datum.

**Required information for Federal inland (Section 404) wetland/waterway fill projects:**

- Complete the "Corps Secondary Impacts Checklist" provided on the following page;
- Each plan should show the ordinary high water (OHW) line in the absence of a contiguous wetland.
- National Wetlands Inventory Map(s) (www.fws.gov/nwi/) showing the impacted wetland system(s);
- For Minor/Major Impact Projects, delineate special aquatic sites (SAS) and special wetlands, including vernal pools [see General Condition (GC) 26].

**Information typically required for stream crossing projects (perennial and intermittent unless otherwise specified)**:

- Rosgen classification for perennial streams. See Applied River Morphology, Dave Rosgen, 1996;
- PE stamp on all perennial stream projects when required by the State;
- Crossing impact analysis of hydraulic capacity, hydrogeomorphic compatibility, watershed size above a crossing, upstream and downstream direct and secondary impacts from a proposed crossing;
- Stream bank full, and bank dimensions, channel dimensions, extent of the floodplain prone area;
- Crossing impact assessment to wildlife and fisheries and aquatic organisms (pre- and post design) including direct and secondary impacts;
- Replacements: an analysis of current crossing compatibility, stability of upstream and downstream channel and bank, recent scour events, systems analysis on hydrology, ecological stability and sediment loading.

**Required information for projects in tidal waters**:

- Each plan should show the mean high water (MHW), mean low water (MLW), mean lower low water (MLLW), high tide line (HTL) or other tidal datum;
- Delineate special aquatic sites (SAS) and special wetlands (see GC 26);
- Show or state the size of the waterbody;
- Limits of any Federal Navigation Project (FNP) within 100' of the project area and State Plane Coordinates for the limits of the proposed work closest to the FNP;
- Volume, type, and source of fill material to be discharged into waters and wetlands, including the area(s) (in square feet or acres) of fill in wetlands and the areas below the HTL.

**Required information for tidal water dredge projects**:

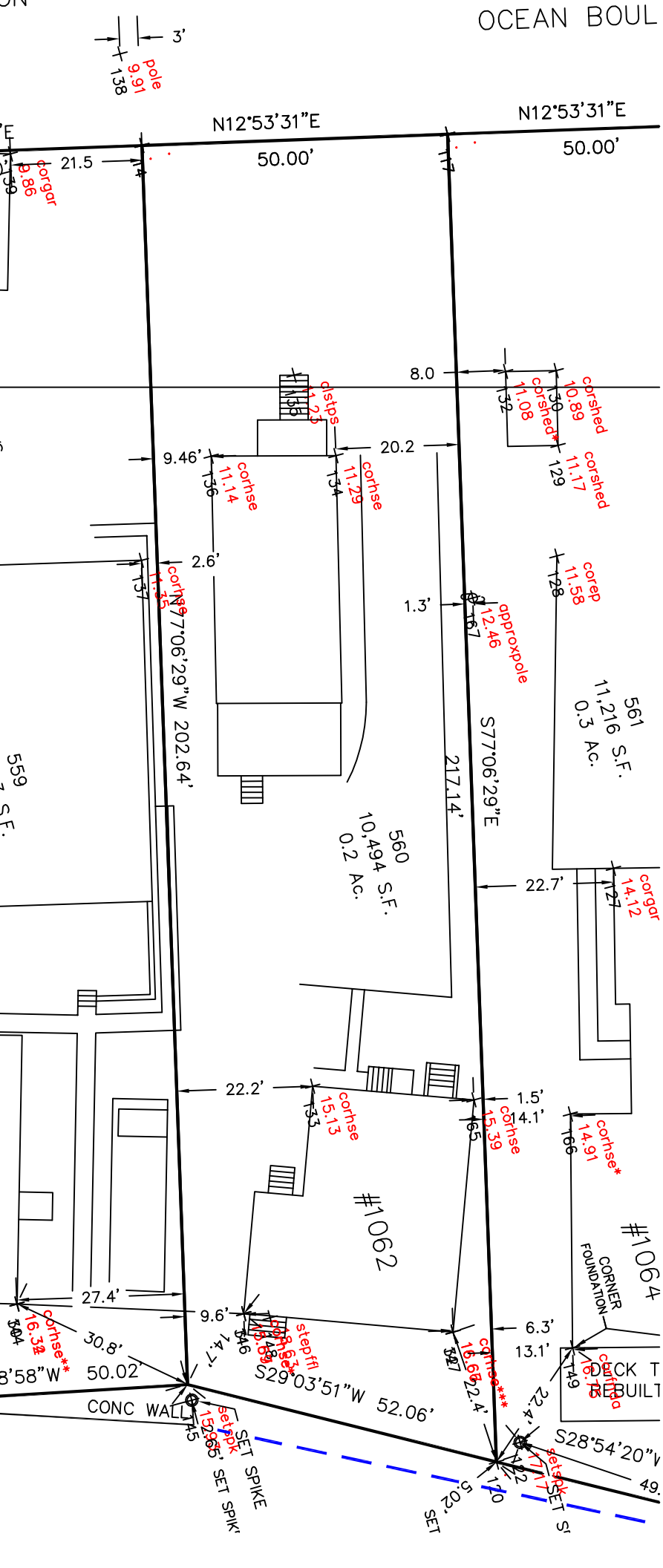
- Sediment testing, including physical (e.g., grain-size analysis), chemical and biological testing. For projects proposing open water disposal, applicants should contact the Corps as early as possible regarding sampling and testing protocols. Sediment sampling and testing without such contact would be at the applicant's risk;
- Any existing sediment grain size and bulk sediment chemistry data;
- Nature of material (e.g., silty sand);
- Any nearby projects;
- The area in square feet and volume of material to be dredged below HTL;
- Existing and proposed water depths;
- Type of dredging equipment to be used;
- Location of the disposal site (include locus sheet);
- Information on the location and nature of municipal or industrial discharges and occurrence of any contaminant spills in or near the project area;
- Shellfish survey;
- Identify and describe potential impacts to essential fish habitat (see GC 10);
- Delineation of submerged aquatic vegetation (e.g., eelgrass beds).

**U.S. Army Corps of Engineers**
**Programmatic General Permit (PGP)**
**Appendix B**
**Corps Secondary Impacts Checklist**
**(for inland wetland/waterway fill projects in New Hampshire)**

1. Attach any explanations to this checklist. Lack of information could delay a Corps permit determination.
2. All references to "work" include all work associated with the project construction and operation. Work includes filling, clearing, flooding, draining, excavation, dozing, stumping, etc.
3. See PGP, GC 5 regarding single and complete projects.
4. Contact the Corps at (978) 318-8832 with any questions.

| **1. Impaired Waters** | **Yes** | **No** |
|---|---|---|
| 1.1 Will any work occur upstream within 1 mile upstream in the watershed of an impaired water? See www.des.nh.gov/wmb/Section401/ to determine if there is an impaired water in the vicinity of your work area.* | | |
| **2. Wetlands** | | |
| 2.1 Are there are streams, brooks, rivers, ponds, or lakes within 200' of any proposed work? | | |
| 2.2 Are there proposed impacts to SAS, shellfish beds, special wetlands and vernal pools (see PGP, GC 26)? Applicants may obtain information from the NH Department of Resources and Economic Development Natural Heritage Bureau (NHB) website, www.dred.state.nh.us/divisions/forestandlands/bureaus/naturalheritage, specifically the book Natural Community Systems of New Hampshire. | | |
| 2.3 If wetland crossings are proposed, they are not adequately designed to maintain hydrology, sediment transport & wildlife passage. | | |
| 2.4 Would the project remove part or all of a riparian buffer? (Riparian buffers are lands adjacent to streams where vegetation is strongly influenced by the presence of water. They are often thin lines of vegetation containing native grasses, flowers, shrubs and/or trees that line the stream banks. They are also called vegetated buffer zones.) | | |
| 2.5 The overall project site is more than 40 acres. | | |
| 2.6 What is the size of the existing impervious surface area? | | |
| 2.7 What is the size of the proposed impervious surface area? | | |
| 2.8 What is the % of the impervious area (new and existing) to the overall project site? | | |
| **3. Wildlife** | Yes | No |
| 3.1 Has the NHB determined that there are known occurrences of rare species, exemplary natural communities, Federal and State threatened and endangered species and habitat, in the vicinity of the proposed project? (All projects require a NHB determination.) | | |
| 3.2 Would work occur in an area identified by NH Fish and Game Department as "Highest Ranked Habitat by Ecological Condition in NH" (magenta areas on maps) or "Highest Ranked Habitat by Ecological Condition in biological region" (green areas on maps)? www.wildlife.state.nh.us/Wildlife/Wildlife_Plan/highest_ranking_habitat.htm. The map is currently available as a PDF for download that can be zoomed in on.* | | |
| 3.3 Would work occur in an area identified as a "Conservation Focus Area" (purple areas). www.wildlife.state.nh.us/Wildlife/Wildlife_Plan/conservation_focus.htm? The map is currently available as a PDF for download that can be zoomed in on.* | | |
| 3.4 Would the project impact more than 20 acres of an undeveloped land block (upland, wetland/waterway) on the entire project site and/or on an adjoining property(s)? | | |
| 3.5 Does the project propose more than a 10-lot residential subdivision, or a commercial or industrial development? | | |
| 3.6 If stream crossings are proposed, will they impede hydrology, sediment transport & wildlife passage. (Note: Stream crossings should be designed in accordance with the PGP, GC 21.) | | |
| **4. Flooding/Floodplain Values** | **Yes** | **No** |
| 4.1 Is the proposed project within the 100-year floodplain of an adjacent river or stream? | | |
| 4.2 If 4.1 is yes, will compensatory flood storage be provided if the project results in a loss of flood storage? | | |

*Although this checklist utilizes state information, its submittal to the Corps is a Federal requirement.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